

To: Bartley, Richard[Bartley.Richard@epa.gov]
From: Schoellkopf, Lynde[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=739D462E81EF4540A4994C7D907C2595-SCHOELLKOPF, LYNDE]
Sent: Tue 5/11/2021 3:58:50 PM (UTC)
Subject: FW: NM v. Sterigenics

From: Schoellkopf, Lynde
Sent: Tuesday, May 11, 2021 8:53 AM
To: Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>
Cc: William Puplampu <Puplampu.William@epa.gov>
Subject: NM v. Sterigenics

Gautam,
The New Mexico AG's office was able to send a full copy of the above state ethylene dioxide case. The AG's office is suing Sterigenics (a hospital gear sterilization company) for EtO emissions at the facility under various state law claims. While this is a state matter (and EPA is not a party to the case) the district court judge did ask that EPA and New Mexico Environment Dept. file amicus briefs addressing claims raised in New Mexico's Temporary Restraining Order and Prelim. Injunction as well as EPA's primary jurisdiction. Moving forward, should we coordinate with you or someone at OGC on any internal discussions and/or discussions with NMED and the AG's office? We typically work with someone at DOJ/OGC as our leads in litigation matters – but this is obviously a bit different when we're not a party in the case. I am happy to arrange a call with anyone at OGC/DOJ, the state parties to figure out what they want from us – but it would be helpful to know if this is a matter that OGC thinks we should not get involved in at this time. Thanks for any guidance. I do know the judge's request for EPA to file an amicus was filed 4/22 – and there is a 45-day clock running.

Thanks in advance,
Lynde

From: Diaz, Farrah <fdiaz@nmag.gov>
Sent: Thursday, May 06, 2021 10:55 AM
To: Schoellkopf, Lynde <Schoellkopf.Lynde@epa.gov>; McGuire, James <McGuire.James@epa.gov>; Bruce.Baizel@state.nm.us
Cc: Cholla Khoury <ckhoury@nmag.gov>; Ortiz, Jacqueline <jortiz@nmag.gov>
Subject: NM v. Sterigenics

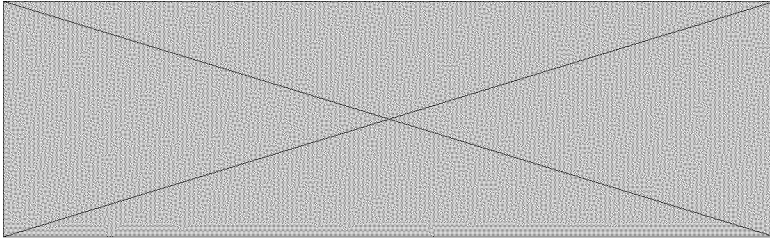
All,

Attached please find the pleadings that have been filed in the state court.

-  [2020-12-22 Emergency Mtn ISO Req for Ex Parte T...](#)
-  [2020-12-22 Required Scheduling Order.pdf](#)
-  [2020-12-22 Verification of J. Ortiz.pdf](#)
-  [2020-12-22 Verified Cmplt Ex Parte Request for ...](#)
-  [2020-12-28 Notice of Filing of Notice of Remova...](#)
-  [2020-12-28 Notice of Waiver of Service and Proo...](#)
-  [2021-04-14 Emergency Mtn ISO Request for TRO an...](#)
-  [2021-04-14 Entry of Appearance.pdf](#)
-  [2021-04-14 Notice of Remand \(final\).pdf](#)
-  [2021-04-15 RFH - Emergency Mtn ISO TRO.pdf](#)
-  [2021-04-19 Entry of Appearance.pdf](#)
-  [2021-04-20 NOCB re Pltfs Emergency Mtn ISO Requ...](#)
-  [2021-04-20 Notice of Hearing \(May 26\).pdf](#)
-  [2021-04-20 Ntc of Prelim Injunc Hearing.pdf](#)
-  [2021-04-21 COS P's RFAS to D \(1st Set\).pdf](#)
-  [2021-04-21 Ntc of Agreed Ext of Time for Defts ...](#)
-  [2021-04-22 Jury Demand \(12 Persons\).pdf](#)
-  [2021-04-22 Order Requesting Briefs Amicus Curia...](#)
-  [2021-04-23 COS - Defts 1st Set of Disc. to Pltf...](#)

 [Summons- Sotera Health Company.pdf](#)
 [Summons- Sotera Health Holdings LLC.pdf](#)
 [Summons- Sotera Health LLC.pdf](#)
 [Summons- Sterigenics U.S. LLC.pdf](#)

Thank you,



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